

**Idaho Pesticide Management Plan
Rule Making Technical Workgroup**

**Minutes of the January 22, 2004 Meeting
Idaho State Department of Agriculture**

Gary Bahr called the meeting to order at 9:10 am.

Those in attendance included:

Gary Bahr, ISDA
Gayle Batt, IWUA
Rick Carlson, ISDA
Toni Mitchell, DEQ
Ken Neely, IDWR
Deb Parlman, USGA
George Robinson, ISDA
Sarah Weppner, IDHW

Gary reviewed the schedule for development of rules, discussed the process, and policy committee meeting schedules.

Gary also discussed the process for obtaining additional and updated information from agencies, environmental groups, and others on the Pesticide Management Plan. Gary noted that he would be making appointments to meet with each agency to discuss in-depth information pertinent to their agency to see what is current and accurate. He will also need to meet with District Health Departments and the Department of Health and Welfare to discuss the plan and ensure that appropriate rules and other required information is included.

Garrett Wright and Gary stated that they want the updated process for the Pesticide Management Plan, and the development of rules to implement the plan to happen simultaneously to ensure that both are completely up to date and accurate. Garrett stated that he is still developing a process to include Indian Tribes in review and comment on the Pesticide Management Plan.

Gary provided a draft copy of the proposed rule section "Response to a Pesticide Detection" and stated that the Policy Committee had recommended some changes to the initial draft. He stated that this Section pertains to a key table in the Pesticide Management Plan

The committee recommended that 01. b. be revised to: "Provide additional information to pesticide applicators within the area of vulnerability." In clarifying the provision, committee members stated that it was unclear what the "area" could encompass in the previous draft and were also concerned about what "educate" actually would mean. Currently, the water program staff writes reports and disseminates information to well

owners—they are developing a newsletter also. Concerns were also expressed about the “Evaluate” and the in-depth research that could be required if that wording remained.

The committee recommended that 01. c. be revised to: “Review existing information including but not limited to use practices, soils, hydrogeology, and vulnerability within the vicinity of the pesticide detection.” Gary stated that this language relates to CAFO siting rules and noted that he would double check to make that the duties are clearly stated.

Vulnerability maps are available for the East Snake River Plain (Mike Rupert, USGS), the West Snake River Plain (Mary Denato, USGS) and the USGS is trying to determine how to develop one for central Idaho (Mary Denato), (Adams County north to the Canadian Border). An overall vulnerability map for Idaho was developed in 1991 by Mike Rupert (DEQ). USGS uses a statistical evaluation to determine the most important aspects of a vulnerable area. It was also suggested that the plan be re-reviewed to ensure that vulnerable areas are included appropriately.

The committee recommended that 01. d. be revised to: “Review State records for previous point source or potential FIFRA violation concerns.”

The committee recommended that 01. e. be revised to: “Review existing monitoring data within area to check for previous detections.”

In response to a question from Gail Batt about how this 20% or above detection limit would affect the workload, Rick noted that it would be ok but that the staff would have to have a good outline of what they would need to do. Gail also stated, that as a well owner, if pesticides were detected, she would not only like to have a copy of the report, but also would like to have information on what to do to follow up.

The committee recommended that 01.f. be revised to: “Conduct outreach in local area applicable to relevant data and information.” The word “timely” was deleted because of questions about what that would mean in this rule.

Gary stated that 01. g. should be changed to: Encourage voluntary best management practices consistent with the Idaho Agricultural Pollution Abatement Plan (APAP).” The word Agricultural had inadvertently been left out.

The committee recommended that “in an area” be moved from 02. Level Two Response to 02. a. and revise the statement to read: “Implement actions 01. a-g in the area of the pesticide detection.”

The committee recommended that 02. e. be revised to: “Notify and work with the appropriate parties including but not limited to: pesticide registrant(s), dealer(s), applicator(s) and producer(s) to determine likely source(s). Gary stated that he would request legal interpretation for this section, and the entire set of rules will go through Departmental legal review before submission to the Legislative Services Office.

The committee recommended that 02. f. be revised to: “Conduct site-specific pesticide use inspections within the area of detection(s).”

The committee recommended that 02. g. be revised to: “When voluntary BMPs or other measures are applied, evaluate the effectiveness and change if needed.”

The committee recommended that 03. a. be revised to: “Implement actions 01. a.-g., and 02. a.-g. in the area of the pesticide detection.”

The committee recommended that 03. b. be revised to: “Evaluate the need for installing monitoring well.”

The committee requested that staff look at combining the proposed c & h subsections and questioned how “restricted area” would be determined and what those restrictions would be composed of, etc. and flesh it out to see if they need more information based on determination of the source. They also recommended that the language, at this time, for 03. c be revised to: “Implement BMPs or other measures, evaluate their effectiveness and change if needed.”

The committee recommended that 03. e. be revised to: “Assist home owner with health and alternative water source information.” Committee members stated that the initial statement indicated the Department would be offering to provide alternative water sources.

The committee noted that 03.g. needs additional work.

The committee recommended that 04. a. be revised to: “ Implement 01. a-g, 02. a-g, and 03. a-h.

Committee members asked if this level would trigger an investigation into whether or not the person has been exposed to pesticides and asked if provisions for health evaluations and so on should be added. It was also noted that for domestic potable wells, health districts or the Idaho Department of Health and Welfare should be notified of the situation.

The committee recommended that 04. d. be revised to: “Assist homeowner(s) with health information, health exposure assessment, and alternatives for attaining a safe water source.” Members also suggested that information be included to let people know to contact their local District Health Department or the state Department of Health and Welfare for additional information related to health issues.

The next Policy committee meeting is scheduled January 29; and the next Technical Committee meeting is scheduled February 5 for the full day.

Meeting adjourned at 12:00 pm.